IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 11326 of 2004

Between:

Pokala Savithri, W/o Late Abdul Ali,
H.No.6-99, Sivalayam Street, Ibrahimpatnam, Ranga Reddy District.

... PETITIONER

AND

1 The Mandal Revenue Officer, Ibrahimpatnam Village, Ranga Reddy District.
2 The Panchayat Secretary, Ibrahimpatnam, Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 1 & 2 herein in demolishing and preventing the petitioner from proceeding with the construction of the shed in the land in Survey No.372 of Ibrahimpatnam village & Gram Panchayat, Ranga Reddy District, to an extent of Ac.1.10 Guntas as illegal, improper, unjust, arbitrary and contrary to law.

Counsel for the Petitioner: MR.K.G.KRISHNA MURTHY

Counsel for the Respondent No.1: GP FOR REVENUE

Mr. P. Raghavendra Reddy for R-2.

The Court made the following:

ORDER:

Admittedly, petitioner purchased land to an extent of Ac.1.10 guntas in S.No.372 at Ibrahimpatnam Gram Panchayat through a registered sale deed dated 10-01-1994 and obtained permission from the said Gram Panchayat for making construction in the said land. When some third parties interfered with her possession, petitioner invoked the Jurisdiction of Civil Court in O.S.No.831 of 2004 and obtained injunction against third parties. When petitioner was proceeding with the construction, it is stated that Respondents 1 and 2, without issuing any notice, demolished the structure so made by her.

2. In response to the notice issued before admission, Mandal Revenue Officer filed counter stating that they are not obstructing construction in S.No.372, but in the guise of permission obtained from the Gram Panchayat, petitioner is encroaching into the adjacent Government land in S.No.371 of Ibrahimpatnam Khalsa village. When the petitioner was proceeding with construction in S.No.371, which is a Government land, notice vide Ref.No.B/211/2004, dated 31-01-2004 has been issued calling upon her to attend the office on 03-02-2004 along with documentary evidence in person or through counsel. Instead of attending the office, when petitioner was proceeding with the construction, she was prevented from doing so.

3. In view of the same, petitioner is at liberty to approach the Mandal Revenue Officer with all necessary documentary evidence

or in the alternative, she can get the land, purchased by her, demarcated with the help of Mandal Surveyor, if any. Only on such demarcation, petitioner can proceed with the construction under the permission provided, if the same falls within S.No.372.

The writ petition is accordingly disposed of. No order as to costs.

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A. **GOPAL REDDY, J**

September 30, 2004

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1 The Mandal Revenue Officer, Ibrahimpatnam Village, Ranga Reddy District

2 The Panchayat Secretary, Ibrahimpatnam, Ranga Reddy District.

3 Two C.C. s to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT)

4 Two C.D. Copies.